

Issued: February 28, 2018

Draft

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
MONDAY, FEBRUARY 5, 2018
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

MINUTES

ATTENDANCE: Chair: Kevin Ahern; Vice Chair: Kevin Prestage; Commissioner's: John O'Donnell, Michelle Maresca, James Akin; Alternate: Gordon Binkhorst; Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

ABSENT: Alternate, Liz Gillette.

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, December 4, 2017
Moved to Approve, Motion/; Second/; Vote 4-0.
 - b. Minutes of the Regular Meeting, Monday, January 3, 2018
Moved to Approve, Motion/; Second/; Vote 4-0.

COMMUNICATIONS:

2. **DRAC 2017 Annual Report-** Communication from DRAC on the 2017 Annual Report of activities of the Commission to the Town Council. *Received.*

3. **1225 Boulevard-** Communication from Michael Lee (Record Owner), requesting a modification to Subdivision #278, pursuant to section A184-32 of the Subdivision Regulations. The applicant requests removal of a tree due to its poor condition.

The Town Plan and Zoning Commission received the communication and coupled with consideration of staff technical comments, were in agreement that there were no outstanding concerns regarding the removal of the tree.



TOWN OF WEST HARTFORD

TOWN OF WEST HARTFORD
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NEW BUSINESS: *None*

OLD BUSINESS:

4. **968R Farmington Ave (Vaughn's Pies and Pints)** - Application (SUP #1191-LB-17) of Vaughn's Pies and Pints (Mike Mahoney, Managing Agent) requesting TPZ review of compliance with the conditions of SUP #1191 approved May 2, 2011 to authorize a thirty-eight (38) seat outdoor dining area. (Submitted for TPZ receipt on December 4. Required public hearing scheduled for January 3, 2018. Public hearing opened and immediately continued to February 5, 2018.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (*Motion/O'Donnell; Second/Maresca*) to determine that the Special Use Permit did not require additional conditions of approval.

5. **35 Ringgold Street/ 34 Crescent Street-** Application (IWW #1077) of Mark Lovely (Owner's Agent) on behalf of Richard F. Patrissi Trust (R.O.), seeking approval on an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant seeks to redevelop the former Patrissi Nursery into a residential multi-family development with associated site improvements. (Submitted for IWWA receipt on January 3, 2018. Determined to be potentially significant and scheduled for public hearing on February 5, 2018.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by unanimous vote (5-0) (*Motion/O'Donnell; Second/Akin*) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

35 RINGGOLD STREET/34 CRESCENT STREET
INLAND WETLAND APPLICATION IWW #1077
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **35 Ringgold Street/34 Crescent Street** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1077** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2

have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.

- C. There are no reasonable and prudent alternatives that will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **35 Ringgold Street/34 Crescent Street.**

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Weekly inspection reports of the sediment and erosion controls shall be submitted to the Town Planner. Additional erosion and sediment control measures shall be implemented and/or installed throughout the course of construction as/if deemed necessary and directed by the Design Engineer and/or West Hartford Town officials.
- 4.) Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
- 5.) The Applicant shall submit to the Town Planner for review and approval by the Town Engineer final as-built plans certifying that all Stormwater infrastructure improvements were completed in accordance with the approved plans. Such certification shall be made by a registered professional engineer
- 6.) The permit shall expire if not exercised within ten (10) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

- 6. **243 Steele Road-** Application (IWW #908-R2-17) of Steele Road, LLC (Geoff Sager, Owner),

seeking approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant seeks to construct an additional 30 unit apartment building on the property and make associated site improvements on, or adjacent to, mapped wetlands. (Submitted for IWWA receipt on January 3, 2018. Determined to be potentially significant and scheduled for public hearing on February 5, 2018.) *Approved with conditions. Motion/Prestage; Second/O'Donnell; Vote: 5-0.*

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by unanimous vote (5-0) (Motion/Prestage; Second/O'Donnell) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

243 STEELE ROAD
INLAND WETLAND APPLICATION IWW #908-R2-17
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **243 Steele Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #908-R2-17** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives that will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **243 Steele Road**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Weekly inspection reports of the sediment and erosion controls shall be submitted to the Town Planner. Additional erosion and sediment control measures shall be implemented and/or installed throughout the course of construction as/if deemed necessary and directed by the Design Engineer and/or West Hartford Town officials.

- 4.) Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
- 5.) Prior to completion of the work, the Applicant shall submit a Conservation Easement Agreement for the Stormwater detention basin. The final form and content shall be reviewed and subject to the approval of the Town Planner.
- 6.) The Applicant shall submit to the Town Planner for review and approval by the Town Engineer final as-built plans certifying that all Stormwater infrastructure improvements were completed in accordance with the approved plans. Such certification shall be made by a registered professional engineer
- 7.) The permit shall expire if not exercised within ten (10) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

TOWN COUNCIL REFERRALS:

7. **35 Ringgold Street/34 Crescent Street-** Application (SDD #148) on behalf of Ringgold Crescent Partners, LLC seeking approval on a new Special Development Design District for the redevelopment of the former Patrissi Nursery Site at 35 Ringgold and 34 Crescent Streets into a twenty-five unit townhome development with associated site improvements. (Town Council receipt on January 9, 2018. TPZ receipt on February 5, 2018. Town Council public hearing on February 27, 2018.)

After a detailed review of the proposed application and its related exhibits and after consideration of staff technical comments, the TPZ acted by unanimous vote (5-0) (Motion/Prestage; Second/Maresca) **to RECOMMEND APPROVAL** of the subject application. The Town Plan and Zoning Commission notes that the request is consistent with the Plan of Conservation and Development.

8. **243 Steele Road-** Application (#139-R1-17) on behalf of Steele Road, LLC seeking approval of an amendment to Special Development District #139 located at 243 Steele Road and known as The Residences at Steele Road. The amendment requests approval of a new thirty unit residential building in the northwest area of the property and associated site improvements including landscape, parking and stormwater management design changes. (Town Council receipt on January 9, 2018. TPZ receipt on February 5, 2018. Town Council public hearing on February 13, 2018.)

After a detailed review of the proposed application and its related exhibits and after consideration of staff technical comments, the TPZ acted by unanimous vote (5-0) (Motion/Prestage; Second/Ahern) **to RECOMMEND APPROVAL** of the subject application. The Town Plan and Zoning Commission notes that the request is consistent with the Plan of Conservation and Development.

➤ **TOWN PLANNER’S REPORT:**

- *UConn West Hartford Campus – Forum Information discussed*
- *March 2018 regular meeting training with TPZ/IWWA and Corporation Counsel discussed*

INFORMATION ITEMS:

REMINDER OF FUTURE TPZ REGULAR AND SPECIAL MEETINGS:

- TPZ Regular Meeting, Monday, March 5, 2018 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, April 2, 2018 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, May 7, 2018 @ 7:00 P.M.

Adjourned: 9:20 p.m.

“Any individual with a disability who needs special assistance to participate in the meeting should contact Suzanne Oslander, Department of Social Services, 860.561.7580, five days prior to the meeting.”

U: shareddocs/TPZ/ Minutes/2018/February 5_Draft Minutes